

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

0061/00091

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/622257

INTERNATIONAL APPLICATION NO.

PCT/FR99/00316

INTERNATIONAL FILING DATE

12 February 1999

PRIORITY DATE CLAIMED

13 February 1998

TITLE OF INVENTION

NUCLEIC ACID COMPRISING THE SEQUENCE OF A STRESS-INDUCIBLE PROMOTER AND A SEQUENCE OF A
GENE ENCODING A STILBENE SYNTHASE

APPLICANT(S) FOR DO/EO/US

COUTOS-THEVENOT, Pierre. HAIN, Rüdiger, SCHREIER, Peter-Helmut, BOULAY, Michel

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A translation of the Annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter
16. ☒ Other items or information:

Copy of the International Preliminary Examination Report, with amended sheets and an **English translation of the amended sheets**;
copy of the sequence listing on paper in French with an English translation thereof; copy of the sequence listing in computer-readable format
(i.e., on diskette); copy of PCT/IB/308; copy of the International Search Report; copy of PCT/IB/306

Error! Bookmark not defined. U.S. APPLICATION NO. (If known, see 37 CFR 1.53) **09/62225**

INTERNATIONAL APPLICATION NO. PCT/FR99/00316

534 Rec'd

ATTORNEY'S DOCKET NUMBER 0061/00091

18 AUG 2000

☒ The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):
Search Report has been prepared by the EPO or JPO.....\$840.00
International preliminary examination fee paid to USPTO (37 CFR 1.482)\$670.00
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$760.00
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$970.00
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$96.00

CALCULATIONS

PTO USE ONLY

ENTER APPROPRIATE BASIC FEE AMOUNT = \$840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate
Total Claims	29 - 20 =	9	X \$18.00
Independent Claims	1 - 3 =	0	X \$78.00
Multiple dependent claim(s)(if applicable)			+ \$260.00

\$162.00

\$0.00

\$0.00

TOTAL OF ABOVE CALCULATIONS = \$1,132.00

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)

\$0.00

SUBTOTAL = \$1,132.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$0.00

TOTAL NATIONAL FEE = \$1,132.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$0.00

TOTAL FEES ENCLOSED = \$1,132.00

Amount to be:
refunded \$

charged \$

- a. ☒ A check in the amount of \$1,132.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 22-0185 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0185. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status

SEND ALL CORRESPONDENCE TO:

Pollock, Vande Sande & Amernick, R.L.L.P.
1990 M Street, N.W., Suite 800
Washington, DC 20036-3425

SIGNATURE

Morris Liss

NAME

24.510

REGISTRATION NUMBER

09/622257

534 Rec'd PCT/PTO 14 AUG 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :

U.S. National Serial No. :

Filed :

PCT International Application No. : PCT/FR99/00316

VERIFICATION OF A TRANSLATION

I, Susan POTTS BA ACIS

Director to RWS Group plc, of Europa House, Marsham Way, Gerrards Cross, Buckinghamshire, England declare:

That the translator responsible for the attached translation is knowledgeable in the French language in which the below identified international application was filed, and that, to the best of RWS Group plc knowledge and belief, the English translation of the international application No. PCT/FR99/00316 is a true and complete translation of the above identified international application as filed.

I hereby declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application issued thereon.

Date: 17 July 2000

Signature of Director :



For and on behalf of RWS Group plc

Post Office Address :

Europa House, Marsham Way,
Gerrards Cross, Buckinghamshire,
England.